



## Office of Congresswoman Marcia L. Fudge (OH-11)

### *The Fair Access for Farmers and Ranchers Act of 2018*

**Background** - Many landowners who cannot afford or find legal assistance, often pass on without leaving a will, creating *heirs' property*. In most states, their multiple descendants become tenants in common. Land so held lacks a clear title and therefore can restrict landowner engagement with land improvement programs offered by the United States Department of Agriculture (USDA). The Fair Access for Farmers and Ranchers Act would require the USDA to provide program eligibility to such landowners.

**Need** - In order to participate in USDA programs, producers must demonstrate control of the land to secure a farm number and access to federal farm, credit and conservation program benefits. Currently, producers operating on heirs' property are unable to secure a farm number and therefore access to land improvement programs offered by the USDA.

#### **Overview of The Fair Access for Farmers and Ranchers Act of 2018:**

1. Requires USDA to provide a farm number and program eligibility to farm owners and operators farming on land that has an assigned administrative authority representing more than 50% of the interests in the property in states who have in force a Uniform Partition of Heirs Property Statute.
2. Require the Secretary to identify similar alternate forms of documentation in each state as evidence of control of the land, including self-certification, and require FSA and NRCS in each state to accept the same forms of documentation.
3. Provide authority in the Credit Title for FSA to make loans available through qualified intermediaries to establish a revolving loan funds to work with heirs to allow owners to resolve heirs' property ownership on farmland that has multiple owners.
4. Provide authority to the Secretary to collect data and perform analysis on trends in farmland ownership and operation, transitions of farms and ranchers to new generation of owners and operators, and also to help understand the impact of unresolved land tenure issue on the ability of producers to operate farms and pass them on to new generations of owners.

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